(19) World Intellectual Property Organization

International Bureau



(43) International Publication Date 21 October 2004 (21.10.2004)

PCT

(10) International Publication Number WO 2004/089423 A3

(51) International Patent Classification7: G01N 33/68

A61K 48/00,

(21) International Application Number:

PCT/US2004/009950

(22) International Filing Date: 31 March 2004 (31.03.2004)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

60/459,323

31 March 2003 (31.03.2003) US

60/512,347

16 October 2003 (16.10.2003)

(71) Applicant (for all designated States except US): UNI-VERSITY OF IOWA RESEARCH FOUNDATION [US/US]; Oakdale Research Campus, 100 Oakdale Campus #214 TIC, Iowa City, IA 52242-5000 (US).

(71) Applicants and

(72) Inventors: ENGELHARDT, John, F. [US/US]; 8 Laredo Court, Iowa City, IA 52246 (US). ZHANG, Liang [US/US]; Oakdale Research Campus, 100 Oakdale Campus #214 TIC, Iowa City, IA 52242 (US).

(74) Agents: CLISE, Timothy, B. et al.; P.O. Box 2938, Minneapolis, MN 55402 (US).

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM,

AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

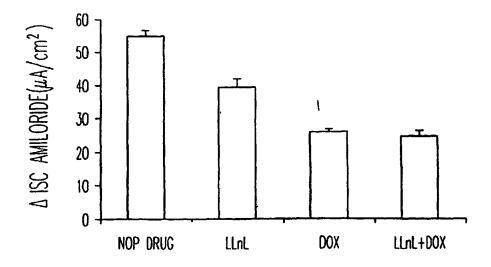
(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Burasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report: 21 April 2005

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: PHARMICO-GENE THERAPHY OF EPITHELIAL SODIUM CHANNEL ASSOCIATED DISODERS



(57) Abstract: Agents and methods to alter epithelial sodium channel (EnaC) activity.



International Application No PUNUS2004/009950

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 G01N33/68 A61K48/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

MInimum documentation searched (classification system followed by classification symbols) IPC 7 G01N C07K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, MEDLINE, WPI Data, PAJ

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to daim No.
X	WO 00/75365 A (ENGELHARDT JOHN F; UNIV IOWA RES FOUND (US); DUAN DONGSHENG (US)) 14 December 2000 (2000-12-14) discussion on page 82 ff. page 79, line 1 - page 80, line 3; claims 82,83	1–59
X	MAITRA R ET AL: "Increased functional cell surface expression of CFTR and DeltaF508-CFTR by the anthracycline doxorubicin." AMERICAN JOURNAL OF PHYSIOLOGY. CELL PHYSIOLOGY. MAY 2001, vol. 280, no. 5, May 2001 (2001-05), pages C1031-C1037, XP002302512 ISSN: 0363-6143 abstract	1-59

X Further documents are listed in the continuation of box C.	Patent family members are listed in annex.
Special categories of cited documents: A' document defining the general state of the art which is not considered to be of particular relevance E' earlier document but published on or after the international filing date L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another clation or other special reason (as specified) O' document referring to an oral disclosure, use, exhibition or other means P' document published prior to the international filing date but later than the priority date claimed	 'T' later document published after the international filing date or priority date and not in conflict with the application but clied to understand the principle or theory underlying the invention 'X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone 'Y' document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. '&' document member of the same patent family
Date of the actual completion of the international search	Date of mailing of the international search report
21 January 2005	0 8. 03. 05
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo ni, Fax: (+31-70) 340-3016	Authorized officer Griesinger, I

5

International Application No PC-/US2004/009950

	ation) DOCUMENTS CONSIDERED TO BE RELEVANT	
Category °	Citation of document, with Indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98/53839 A (LALLEMAND JEAN YVES; BARTHE JOEL (FR); LENOIR GERARD (FR); ANNEREAU J) 3 December 1998 (1998-12-03) abstract; examples 3,4	1–59
X	MALIK BELA ET AL: "ENaC degradation in A6 cells by the ubiquitin-proteosome proteolytic pathway" JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 276, no. 16, 20 April 2001 (2001-04-20), pages 12903-12910, XP002302513 ISSN: 0021-9258 cited in the application page 12908, right-hand column, paragraph 2 abstract	1-59
A	WO 02/087306 A (CALLAMARAS NICHOLAS; SENOMYX INC (US); CHANG HONG (US)) 7 November 2002 (2002-11-07) abstract page 12908, right-hand column, paragraph 2	1-59
A	JIANG QINSHI ET AL: "Cellular heterogeneity of CFTR expression and function in the lung: Implications for gene therapy of cystic fibrosis" EUROPEAN JOURNAL OF HUMAN GENETICS, vol. 6, no. 1, January 1998 (1998-01), pages 12-31, XP002302514 ISSN: 1018-4813 abstract; figure 3	1-59
P,X	YAN ZIYING ET AL: "Distinct classes of proteasome-modulating agents cooperatively augment recombinant adeno-associated virus type 2 and type 5-mediated transduction from the apical surfaces of human airway epithelia." JOURNAL OF VIROLOGY, vol. 78, no. 6, March 2004 (2004-03), pages 2863-2874, XP002296726 ISSN: 0022-538X abstract	1-59
(CA 2 302 627 A (CT DE RECH DU CT HOSPITALIER D) 23 September 2001 (2001-09-23) page 26, paragraph 2 - page 27, paragraph 1; figures 1-3	11, 13-32, 34,35, 37-55, 58,59

5

International Application No PCA/US2004/009950

		F647 03200	
	ation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category °	Citation of document, with indication, where appropriate, of the relevant passages		Relevant to daim No.
X	ZENTNER M D ET AL: "The amiloride-sensitive epithelial sodium channel alpha-subunit is transcriptionally down-regulated in rat parotid cells by the extracellular signal-regulated protein kinase pathway." THE JOURNAL OF BIOLOGICAL CHEMISTRY. 13 NOV 1998, vol. 273, no. 46, 13 November 1998 (1998-11-13), pages 30770-30776, XP002314224 ISSN: 0021-9258 abstract page 30770, left-hand column, paragraph 1 - page 30771, left-hand column, paragraph 3		11, 13-32, 34,35, 37-55, 58,59
A	SPINDLER B ET AL: "CHARACTERIZATION OF EARLY ALDOSTERONE-INDUCED RNAS IDENTIFIED IN A6 KIDNEY EPITHELIA" PFLUEGERS ARCHIV, SPRINGER VERLAG, BERLIN, DE, vol. 434, 1997, pages 323-331, XP001025924 ISSN: 0031-6768 abstract		11, 13-32, 34,35, 37-55, 58,59

5

Interional application No.	
PCT/US2004/009950	·

Вох	No. I	Nucleotide an	nd/or amino acid sequence(s) (Continuation of Item 1.b of the first sheet)	
1.	inven	ition, the internationa	tide and/or amino acid sequence disclosed in the international application and necessary to the claimed is search was carried out on the basis of:	•
	a.	type of material	•	
			<u> </u>	•:
		table(s) relai	ted to the sequence listing	
	b.	format of material		
		X In written for	mat	i
		X in computer	readable form	İ
	•			
	C.	time of filing/fumishing		
			the international application as filed	
		==	r with the international application in computer readable form	
		LI iumisnea su	bsequently to this Authority for the purpose of search	•
2.		or furnished, the re	case that more than one version or copy of a sequence listing and/or table relating thereto has been filed equired statements that the information in the subsequent or additional copies is identical to that in the d or does not go beyond the application as filed, as appropriate, were furnished.	
3.	-Addit	ional comments:		
	•			
			v	
		•		
		٠		
		•		
٠			•	
			·	
				i
•				



Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)
This international Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
1. X Claims Nos.: — because they relate to subject matter not required to be searched by this Authority, namely:
Although claims 33-53 could be understood to be directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
Box III Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)
This International Searching Authority found multiple inventions in this international application, as follows:
see additional sheet
·
As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable daims.
As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the Invention first mentioned in the claims; it is covered by claims Nos.:
Remark on Protest The additional search fees were accompanied by the applicant's protest. X No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-9,12,33,36,56,57 (all claims completely) and claims 10,11,13-32,34,35,37-55, 58,59 (all claims partially)

relates to methods for identifying compounds which modify expression or activity of the epithelial sodium channel (ENaC) AND enhance the transduction efficacy of cells and the medical uses of said compounds.

2. claims: 10,11,13-32,34,35,37-55, 58,59 (all claims partially)

relates to methods for identifying compounds which modify expression or activity of the epithelial sodium channel (ENaC) and the medical uses of said compounds.

formation on patent family members

International Application No PUS2004/009950

	~~~~~	<del></del>			
Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 0075365	Α	14-12-2000	AU	5869400 A	28-12-2000
			CA	2376400 A1	14-12-2000
			EP	1190249 A2	27-03-2002
			JP	2003501068 T	14-01-2003
			WO	0075365 A2	14-12-2000
WO 9853839	A	03-12-1998	FR	2763845 A1	04-12-1998
			ΑT	227994 T	15-12-2002
			AU	8023298 A	30-12-1998
	•		CA	2291928 A1	03-12-1998
			· DE	69809546 D1	02-01-2003
			DE	69809546 T2	02-10-2003
			EP	0984784 A2	15-03-2000
			MO	9853839 A2	03-12-1998
			JP	2002502389 T	22-01-2002
			US	2004014675 A1	22-01-2004
			US	2004009924 A1	15-01-2004
			US	6635627 B1	21-10-2003
WO 02087306	Α	07-11-2002	WO	02087306 A2	07-11-2002
			US	2004072254 A1	15-04-2004
CA 2302627	Α .	23-09-2001	CA	2302627 A1	23-09-2001